

RECEIVED

2004 JAN 21 AM 9:50

T.R.A. DOCKET ROOM

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

**IN RE:**

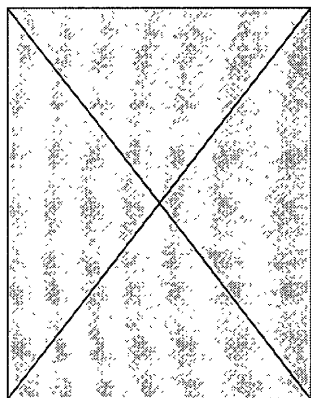
**IMPLEMENTATION OF THE FEDERAL )  
COMMUNICATIONS COMMISSION'S ) DOCKET NO. 03-00527  
TRIENNIAL REVIEW ORDER - 9 MONTH )  
PROCEEDING - LOOP & TRANSPORT )**

**BELLSOUTH TELECOMMUNICATIONS, INC.'S RESPONSES AND  
OBJECTIONS TO COMPETITIVE CARRIERS OF THE SOUTH, INC.  
FIRST SET OF INTERROGATORIES (NOS. 1 - 6)**

BellSouth Telecommunications, Inc. ("BellSouth") respectfully submits the following Responses and Objections to Competitive Carriers of the South, Inc. (hereinafter "CompSouth") First Set of Interrogatories Nos. 1-6, dated January 9, 2004.

**GENERAL OBJECTIONS**

1. BellSouth objects to each and every interrogatory to the extent that such request may call for information that is exempt from discovery by virtue of the attorney-client privilege, work product privilege, or other applicable privilege.
2. BellSouth objects to each and every interrogatory insofar as the interrogatories are vague, ambiguous, overly broad, imprecise, or utilize terms that are subject to multiple interpretations but are not properly defined or explained for purposes of these interrogatories. Any answers provided by BellSouth in response to these interrogatories will be provided subject to, and without waiver of, the foregoing objection.

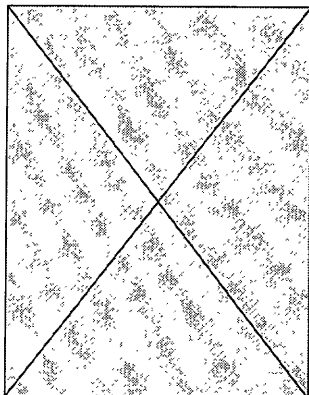


8. To the extent that such requests are overly broad and unduly burdensome, BellSouth objects to any discovery request that seeks to obtain "all" of particular documents, items, or information. Any answers provided by BellSouth in response to this discovery will be provided subject to, and without waiver of, the foregoing objection.

9. BellSouth objects to the manner in which certain discovery is requested. BellSouth may not maintain information in the ordinary course of its business in the particular format requested by CompSouth. BellSouth objects to providing responsive information in the format requested by CompSouth on the grounds that doing so would be overly broad, unduly burdensome, and oppressive.

10. BellSouth also objects to any interrogatory or request to the extent that it seeks confidential information that BellSouth cannot disclose under the FCC's Customer Proprietary Network Information ("CPNI") rules, 47 CFR §64.2007 or under protective agreements with CLECs to which BellSouth is a party. BellSouth will only provide CPNI and CLEC confidential information consistent with the FCC's rules and BellSouth-executed protective agreements.

11. BellSouth objects to any discovery request that seeks to obtain "all" of particular documents, items, or information to the extent that such requests are overly broad and unduly burdensome. Any answers provided by BellSouth in response to this discovery will be provided subject to, and without waiver of, the foregoing objection.



BellSouth Telecommunications, Inc.  
TRA Dkt. No. 03-00527  
CompSouth's 1<sup>st</sup> Interrogatories  
January 9, 2004  
Item No. 1  
Page 1 of 3

**REQUEST:** For each customer location in BellSouth territory identified in your submission in this docket on January 2, 2004 for which CLECs are not impaired without access to BellSouth's Unbundled High Capacity Loops, state and identify:

- a. (1) whether the self-provisioning trigger has been met,
- (2) each capacity level (i.e., DS 3, dark fiber) at which such trigger has been met,

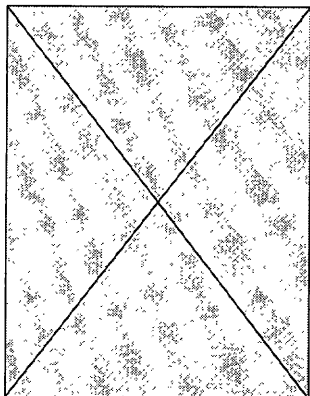
BellSouth Telecommunications, Inc.  
TRA Dkt No. 03-00527  
CompSouth's 1<sup>st</sup> Interrogatories  
January 9, 2004  
Item No. 1  
Page 2 of 3

REQUEST (Cont'd):

- (4) whether BellSouth has identified the existence of fiber optic facilities and electronics but has not determined the relevant service or capacity provided over those facilities, and
- (5) all documents, studies, or records showing that the wholesale trigger has been met.

RESPONSE: (a)

- (1) The information responsive to this request is contained in Attachment No. 1-1, which is proprietary and is being provided subject to the terms of the nondisclosure agreement in this proceeding.
- (2) The information responsive to this request is contained in Attachment No. 1-1, which is proprietary and is being provided subject to the terms of the nondisclosure agreement in this proceeding.
- (3) To the extent currently available to BellSouth, the information responsive to this request is contained in Attachment No. 1-1, which is proprietary and is being provided subject to the terms of the nondisclosure agreement in this proceeding.
- (4) BellSouth continues to gather the information responsive to this request, much of which is in the possession, custody and control of CLECs who have yet to respond completely to BellSouth's discovery requests. BellSouth will supplement its response to this request when the discovery process is complete.
- (5) BellSouth continues to gather the information responsive to this request, much of which is in the possession, custody and control of CLECs who have yet to respond completely to BellSouth's discovery requests. BellSouth will supplement its response to this request when the discovery process is complete.



BellSouth Telecommunications, Inc.  
TRA Dkt No. 03-00527  
CompSouth's 1<sup>st</sup> Interrogatories  
January 9, 2004  
Item No. 1  
Page 3 of 3

**RESPONSE (Cont'd):**

- b. (1) The information responsive to this request is contained in Attachment No. 1-2, which is proprietary and is being provided subject to the terms of the nondisclosure agreement in this proceeding.
- (2) The information responsive to this request is contained in Attachment No. 1-2 which is proprietary and is being

BellSouth Telecommunications, Inc.  
TRA Dkt No. 03-00527  
CompSouth's 1<sup>st</sup> Interrogatories  
January 9, 2004  
Item No. 2  
Page 1 of 5

**REQUEST:** For each specific route identified in your submission in this docket on January 2, 2004 for which CLECs are not impaired without access to BellSouth's unbundled transport, state and identify:

- a.
  - (1) whether the self-provisioning trigger has been met,
  - (2) each capacity level (i.e., DS 3, dark fiber) at which such trigger has been met,
  - (3) the carriers currently providing each such capacity level,
  - (4) the carriers deploying transport at each such capacity level and, in the case of DS 3 transport, which are operationally ready to use such transport,
  - (5) the "A" and "Z" locations on the route,
  - (6) whether BellSouth has identified the existence of fiber optic facilities and electronics at each endpoint but not determined the relevant service or capacity provided over those facilities,
  - (7) whether BellSouth has not determined whether actual circuits or paths at the relevant capacity are in existence between the two routes, and
  - (8) all documents, studies, or records showing that the self-provisioning trigger has been met.

BellSouth Telecommunications, Inc.  
 TRA Dkt No. 03-00527  
 CompSouth's 1<sup>st</sup> Interrogatories  
 January 9, 2004  
 Item No. 2  
 Page 2 of 5

REQUEST (Cont'd):

- b.
- (1) whether the wholesale provisioning trigger has been met,
  - (2) each capacity level (i.e., DS 1, DS 3, dark fiber) at which such trigger has been met,
  - (3) the carriers currently providing each such capacity level,
  - (4) the carriers currently providing each such capacity level, and which are operationally ready to use such transport, and which are willing immediately to provide such transport, on a widely available basis,
  - (5) the "A" and "Z" locations on the route,
  - (6) whether BellSouth has identified the existence of fiber optic facilities and electronics at each endpoint but not determined the relevant service or capacity provided over those facilities,
  - (7) whether BellSouth has not determined whether actual circuits or paths at the relevant capacity are in existence between the two routes, and

~~that BellSouth continues to gather the information responsive to this request, much of which is in the possession, custody and control of CLECs who have yet to respond completely to BellSouth's discovery requests. BellSouth will supplement its response to this request when the discovery process is complete.~~

TRA Dkt No. 03-00527  
 CompSouth's 1<sup>st</sup> Interrogatories  
 January 9, 2004  
 Item No. 2  
 Page 4 of 5

REQUEST (Cont'd):

- (8) BellSouth continues to gather the information responsive to this request, much of which is in the possession, custody and control of CLECs who have yet to respond completely to BellSouth's discovery requests. BellSouth will supplement its response to this request when the discovery process is complete.
- b.
- (1) The information responsive to this request is contained in Attachment Nos. 2-2, 2-3, and 2-4, which are proprietary and are being provided subject to the terms of the nondisclosure agreement in this proceeding.
  - (2) The information responsive to this request is contained in Attachment Nos. 2-2, 2-3, and 2-4, which are proprietary

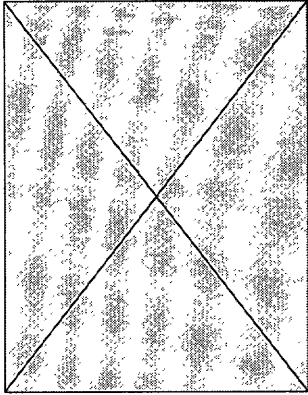


BellSouth Telecommunications, Inc.  
TRA Dkt No. 03-00527  
CompSouth's 1<sup>st</sup> Interrogatories  
January 9, 2004  
Item No. 2  
Page 3 of 5

**RESPONSE (Cont'd):**

Subject to these objections, and without waiving these objections,  
BellSouth responds to this Interrogatory as follows:

- a. (1) The information responsive to this request is contained in Attachment Nos. 2-1 and 2-2, which are proprietary and are being provided subject to the terms of the nondisclosure agreement in this proceeding.
- (2) The information responsive to this request is contained in Attachment Nos. 2-1 and 2-2, which are proprietary and are being provided subject to the terms of the nondisclosure agreement in this proceeding.
- (3) To the extent currently available to BellSouth, the information responsive to this request is contained in Attachment No. 2-3, which is proprietary and is being provided subject to the terms of the nondisclosure agreement in this proceeding.
- (4) To the extent currently available to BellSouth, the information responsive to this request is contained in Attachment No. 2-3, which is proprietary and is being provided subject to the terms of the nondisclosure agreement in this proceeding.
- (5) The information responsive to this request is contained in Attachment Nos. 2-1 and 2-2, which are proprietary and are being provided subject to the terms of the nondisclosure agreement in this proceeding.
- (6) Yes
- (7) BellSouth cannot answer this Interrogatory because it is unclear what is being asked.



BellSouth Telecommunications, Inc.  
TRA Dkt No. 03-00527  
CompSouth's 1<sup>st</sup> Interrogatories  
January 9, 2004  
Item No. 2  
Page 5 of 5

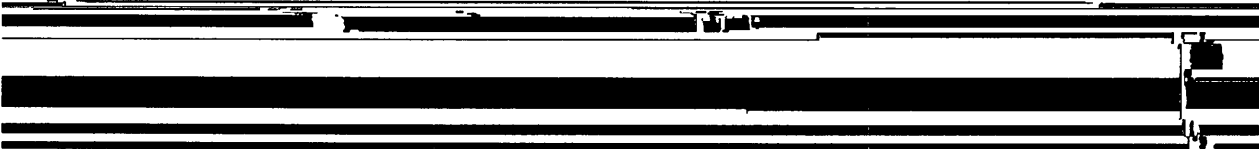
**RESPONSE (Cont'd):**

- (8) BellSouth continues to gather the information responsive to this request, much of which is in the possession, custody and control of CLECs who have yet to respond completely to BellSouth's discovery requests. BellSouth will supplement its response to this request when the discovery process is complete.

BellSouth Telecommunications, Inc.  
TRA Dkt No. 03-00527  
CompSouth's 1<sup>st</sup> Interrogatories  
January 9, 2004  
Item No. 3  
Page 1 of 1

**REQUEST:** For each transport route identified in your response to 2(a) as satisfying the self-provisioning trigger, identify each instance in which BellSouth has provisioned to any of the carriers identified as self-provisioning providers (i) UNE transport, (ii) UNE dark fiber or (iii) special access, between the "A" and "Z" locations on the route. Provide for each carrier, the number of circuits or elements for which BellSouth is currently billing the carrier, the type of service provided (i.e., UNE transport, UNE dark fiber, special access) and the capacity level of each circuit or element provisioned. Please provide any such list in an electronic format that may be manipulated (e.g., Word, Excel).

**RESPONSE:** BellSouth objects to this Interrogatory on the grounds that it is not relevant to the subject matter of this docket and is not reasonably calculated to lead to the discovery of admissible evidence. BellSouth further objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, and oppressive. BellSouth also objects to this interrogatory to the extent that it seeks confidential information that BellSouth cannot disclose under the ECPA's Confidentiality Provisions of Network Information ("CPNI") rules 47



CompSouth's 1<sup>st</sup> Interrogatories  
January 9, 2004  
Item No. 5  
Page 1 of 1

**REQUEST:** State whether collocation space is exhausted in any of the "A" or "Z", locations identified in any of your responses to date requests nos. 2, 3 and 4, and identify with specificity such locations.

**RESPONSE:** Collocation space is currently available in all BellSouth central offices in the state of Tennessee; therefore, none of the "A" or "Z" locations identified in BellSouth's discovery responses are in central offices "where collocation space is exhausted."

BellSouth Telecommunications, Inc.  
TRA Dkt No. 03-00527  
CompSouth's 1<sup>st</sup> Interrogatories  
January 9, 2004  
Item No. 4  
Page 1 of 1

**REQUEST:** For each transport route identified in your response to 2(b) as satisfying the wholesale provision trigger, identify each instance in which BellSouth has provisioned to any of the carriers identified as wholesale providers (i) UNE transport, (ii) UNE dark fiber or (iii) special access, between the "A" and "Z" locations on the route. Provide for each carrier, the number of circuits or elements for which BellSouth is currently billing the carrier, the type of service provided (i.e., UNE transport, UNE dark fiber, special access) and the capacity level of each circuit or element provisioned. Please provide any such list in an electronic format that may be manipulated (e.g., Word, Excel).

**RESPONSE:** BellSouth objects to this Interrogatory on the grounds that it is not relevant to the subject matter of this docket and is not reasonably calculated to lead to the discovery of admissible evidence. BellSouth further objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, and oppressive. BellSouth also objects to this interrogatory to the extent that it seeks confidential information that BellSouth cannot disclose under the FCC's Customer Proprietary Network Information ("CPNI") rules, 47 CFR §64.2007 or under nondisclosure agreements to which BellSouth is a party. BellSouth will only provide confidential information consistent with the FCC's rules and BellSouth-executed nondisclosure agreements.

BellSouth Telecommunications, Inc.

TRA Dkt No. 03-00527

CompSouth's 1<sup>st</sup> Interrogatories

BELLSOUTH TELECOMMUNICATIONS, INC.



Guy Hicks  
333 Commerce Street  
Suite 2101  
Nashville, TN 37201-3300  
(615)214-6301


R. Douglas Lackey  
Meredith E. Mays  
Suite 4300  
675 W. Peachtree St., NE  
Atlanta, GA 30375  
(404) 335-0747

BellSouth Telecommunications, Inc.  
TRA Dkt No. 03-00527  
CompSouth's 1<sup>st</sup> Interrogatories  
January 9, 2004  
Item No. 6  
Page 1 of 1

- REQUEST:** For the past year (or such other time frame dating to approximately January 1, 2003, as is readily available), state the following information separately for DS1, DS3 and dark fiber transport orders:
- a. The number of LSRs requesting UNE transport between the "A" and "Z" end points of the routes identified in any of your responses to data requests nos. 2, 3 and 4;
  - b. The number of "no facilities" responses BellSouth has returned in responses to these LSRs; and
  - c. The number of UNE transport or dark fiber circuits provisioned.
  - d. For each "no facilities" response identified, state the reason given for the "no facilities" response and the estimated time period in which the facility was anticipated to be available.
- RESPONSE:** BellSouth objects to this Interrogatory on the grounds that it is not relevant to the subject matter of this docket and is not reasonably calculated to lead to the discovery of admissible evidence. BellSouth further objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, and oppressive.

Respectfully submitted this 20<sup>th</sup> day of January, 2004.

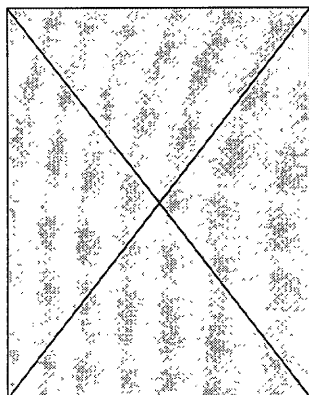
BELLSOUTH TELECOMMUNICATIONS, INC.

A handwritten signature in black ink, appearing to be "Guy Hicks", written over a horizontal line.

Guy Hicks  
333 Commerce Street  
Suite 2101  
Nashville, TN 37201-3300  
(615)214-6301

R. Douglas Lackey  
Meredith E. Mays  
Suite 4300  
675 W. Peachtree St., NE  
Atlanta, GA 30375  
(404) 335-0747



**CERTIFICATE OF SERVICE**

certify that on January 20, 2004, a copy of the foregoing document was  
parties of record, via the method indicated:

☐ Overnight  
☒ Electronic

☐ Hand  
☐ Mail  
☐ Facsimile  
☐ Overnight  
☒ Electronic

☐ Hand  
☐ Mail

Henry Walker, Esquire  
Bout, Cummings, et al.  
414 Union Street, #1600  
Nashville, TN 37219-8062  
[hwalker@boultcummings.com](mailto:hwalker@boultcummings.com)

Charles B. Welch, Esquire  
Farris, Mathews, et al.  
618 Church St., #300  
Nashville, TN 37219  
[cwelch@farrismathews.com](mailto:cwelch@farrismathews.com)

Martha M. Ross-Bain, Esquire  
AT&T

☐ Hand  
☐ Mail  
☐ Facsimile  
☐ Overnight  
☒ Electronic

☐ Hand  
☐ Mail  
☐ Facsimile  
☐ Overnight  
☒ Electronic

☐ Hand  
☐ Mail  
☐ Facsimile  
☐ Overnight  
☒ Electronic

☐ Hand  
☐ Mail  
☐ Facsimile  
☐ Overnight  
☒ Electronic

☐ Hand  
☐ Mail  
☐ Facsimile  
☐ Overnight  
☒ Electronic

☐ Hand  
☐ Mail  
☐ Facsimile  
☐ Overnight  
☒ Electronic

☐ Hand  
☐ Mail  
☐ Facsimile  
☐ Overnight  
☒ Electronic

Ms. Carol Kuhnnow  
Qwest Communications, Inc.  
4250 N. Fairfax Dr.  
Arlington, VA 33303  
[Carol.kuhnnow@qwest.com](mailto:Carol.kuhnnow@qwest.com)

Jon E. Hastings, Esquire  
Boult, Cummings, et al.  
P. O. Box 198062  
Nashville, TN 37219-8062  
[jhastings@boultcummings.com](mailto:jhastings@boultcummings.com)

Dale Grimes, Esquire  
Bass, Berry & Sims  
315 Deaderick St., #2700  
Nashville, TN 37238-3001  
[dgrimes@bassberry.com](mailto:dgrimes@bassberry.com)

Mark W. Smith, Esquire  
Strang, Fletcher, et al.  
One Union Square, #400  
Chattanooga, TN 37402  
[msmith@sf-firm.com](mailto:msmith@sf-firm.com)

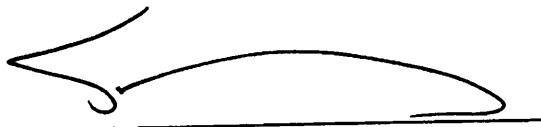
Nanette S. Edwards, Esquire  
ITC^DeltaCom  
4092 South Memorial Parkway  
Huntsville, AL 35802  
[nedwards@itcdeltacom.com](mailto:nedwards@itcdeltacom.com)

Guilford Thornton, Esquire  
Stokes & Bartholomew  
424 Church Street, #2800  
Nashville, TN 37219  
[gthornton@stokesbartholomew.com](mailto:gthornton@stokesbartholomew.com)

Marva Brown Johnson, Esquire  
KMC Telecom  
1755 N. Brown Road  
Lawrenceville, GA 30043  
[marva.johnson@kmctelecom.com](mailto:marva.johnson@kmctelecom.com)

- ☐ Hand
- ☐ Mail
- ☐ Facsimile
- ☐ Overnight
- ☒ Electronic

Ken Woods, Esquire  
MCI WorldCom  
6 Concourse Parkway, #3200  
Atlanta, GA 30328  
[Ken.woods@mci.com](mailto:Ken.woods@mci.com)

A handwritten signature in black ink, appearing to read "Ken Woods", is written above a horizontal line.